

TRANSLATION

**GOVERNMENT OF PUERTO RICO
LA FORTALEZA
SAN JUAN PUERTO RICO**

Administrative Bulletin No. OE-2020-024

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VAZQUEZ GARCED, TO MAKE VIABLE THE ACQUISITION OF GOODS AND SERVICES NECESSARY TO COMBAT THE EFFECTS OF CORONAVIRUS (COVID-19) ON OUR ISLAND

- WHEREAS:** The Government of Puerto Rico is firmly committed to ensure the wellbeing and to protect our citizens.
- WHEREAS:** Given the worldwide spread of the coronavirus (COVID-19) and as part of a coordinated effort to prevent its spread and contagion, the Government of Puerto Rico has taken and will take the necessary steps to ensure the wellbeing of everyone on our Island.
- WHEREAS:** To those ends, it is necessary that all of the agencies and instrumentalities that form the Executive Branch of the Government of Puerto Rico, including public corporations, National Guard, can acquire without delay the equipment, products, materials, and services necessary to quickly and effectively respond to the threat that the spread of COVID-19 represents.
- WHEREAS:** Article 6.10 of Law 20-2017, as amended, better known as the *Puerto Rico Department of Public Safety Act*, empowers the Governor to decree a state of emergency on our Island and to “[...] amend and revoke those regulations and to issue, amend, and rescind those orders deemed convenient to govern during the state of emergency or disaster.”
- WHEREFORE:** I, **WANDA VAZQUEZ GARCED**, Governor of Puerto Rico, pursuant to the powers inherent to my position and the authority that has been conferred to me by the Constitution and the laws of Puerto Rico, do hereby DECREE and ORDER the following:

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Section 1st: According to the state of emergency declared through Administrative Bulletin No. OE-2020-020, it is recognized that there are currently circumstances that make it meritorious to allow the agencies to be able to activate special procedures to carry out emergency purchases, in order to acquire, among others, the following materials: personal disinfection articles, general disinfection articles, and personal protection articles, as defined by the Department of Health, and any other equipment or material that the Department of Health declares is necessary or recommendable to prevent contagion with COVID-19.

Section 2nd: Likewise, the agencies are authorized to acquire through contract those professional o non-professional services necessary and directly related to the handling and prevention of COVID-19 in Puerto Rico. In particular, the contracting of professionals is permitted, such as physicians, physician assistants according to Law 71-2017, nurses, medical technologists, epidemiologists, and other health professionals.

Section 3rd: Notwithstanding the foregoing, the terms and conditions of the acquisition of such services must be done in writing and must include the following:

(a) The date of execution of the contract, (b) the term of the obligation, (c) the object of the obligation, and (d) the amount of the obligation, and (e) the signatures of the persons authorized to execute it. Any contract executed according to the provisions of this Executive Order will only be effective for sixty (60) days and will be remitted to the Fiscal Oversight Board created by PROMESA on the date on which the same is executed, to the following email address: contracts@promesa.gov.

Section 4th: The Director of the Office of Management and Budget will oversee the responsible exercise of these acquisitions or contracts by the

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agencies and may require any reports and establish any budgetary and administrative controls to discharge this responsibility.

Section 5th: The agencies will have a period of sixty (60) days as of the promulgation of this Executive Order to execute contracts without requiring the documents or complying with any requirements established by law, regulation, administrative order, or applicable guidelines, as well as to receive the contractual services established in Sections 1 and 2 of this Executive Order. Once a contract is executed as provided herein, the parties will have sixty (60) days to request, obtain, or fill out the required documents and to comply with any requirements established by law, regulation, administrative order, or applicable guidelines. Such terms will not be extended. In addition, as required by the Fiscal Oversight Board, the agencies must include as an attachment to all contracts perfected a certification executed by the contractor. This certification must indicate that the contractor recognizes that any contribution, as defined by the *Law to Oversee the Financing of Political Campaigns in Puerto Rico*, Law 222-2011, made by the contractor and in the case of a corporation, by its shareholders, members, or owners, will be made in strict compliance with said statute.

Section 6th: DEFINITION OF THE TERM AGENCY. For purposes of this Executive Order, the term “Agency” refers to all agencies, instrumentalities, offices, bureaus, commissions, boards, administrations, authorities, or departments of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of their name.

Section 7th: REPEAL. This Executive Order vacates any other executive order that, in whole or in part, is incompatible with the provisions herein, to the extent that such incompatibility exists.

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Section 8th: EFFECTIVENESS. This Executive Order will enter into effect immediately and will remain in force or a period of 60 days.

Section 9th: NO CREATION OF REQUIRABLE RIGHTS. This Executive Order is not intended to create substantive or procedural rights to favor third parties, enforceable before judicial, administrative, or any other kind of forum, against the Government of Puerto Rico or its agencies, their officials, employees or any other person.

Section 10th: PUBLICATION. This Executive Order must be filed immediately at the Department of State and its broadest publication is ordered.



IN WITNESS WHEREOF, I hereby issue Executive Order under my signature and I have stamped hereon the seal of the Government of Puerto Rico, in San Juan, Puerto Rico, today March 16, 2020.

(Signed)

WANDA VAZQUEZ GARCED

GOVERNOR

Promulgated in accordance with the law, today March 16, 2020.

(Signed)
ELMER L. ROMAN GONZALEZ
SECRETARY OF STATE